

REMARKS

Reconsideration of this application as amended is respectfully requested.

In the Office Action, claims 1-66 are pending and rejected.

In this response, no claim has been canceled without prejudice. Claims 1, 17, 33, 49, 55 and 61 have been amended to particularly point out and distinctly claim, in full, clear, concise, and exact terms, the subject matter which Applicant regards as his invention. Claims 18-32, 34-48, 56-60 and 62-66 have been amended for clarification. No new claims have been added. Thus, claims 1-66 remain pending. No new matter has been added.

Rejections Under 35 U.S.C. § 101

The Examiner has rejected claims 17-32 and 55-60 under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter.

Claims 17 and 55 have been amended to read "... computer storage medium ...". Applicants respectfully submit that the amendment clarifies the preamble to be within claimable statutory subject matter. Claims 18-32 and 56-60 depend from amended claims 17 and 55 and thus incorporate all the limitations contained therein. For at least this reason, Applicants respectfully submit that claims 18-32 and 56-60 are also within claimable statutory subject matter and respectfully request withdrawal of the claim rejections.

Claim 33 has been amended to read "... A system to process data and to display user interface elements, the system comprising ...". Claim 61 has been amended to read "... A system to process data for a graphical user interface, the system comprising ...". Applicants respectfully submit that the amendments clarify the preamble to be within claimable statutory subject matter. Claims 34-48 and 62-66 depend from claims 33 and 61 and incorporate the limitations contained therein. For at least this reason, Applicants respectfully submit that claims

34-48 and 62-66 are also within claimable statutory subject matter and respectfully request the withdrawal of the claim rejections.

Rejections under 35 U.S.C. § 102

Claims 1, 2, 5-14, 17, 18, 21-30, 33-34 and 37-46 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,486,894 to Abdelhadi, et al. ("Abdelhadi").

Independent claims 1, 17 and 33

Claims 1, 17 and 33 contain similar limitations. Claim 1 shall be used as a representative claim for the purposes of discussion. Claim 1 includes the limitation "... automatically determining, based on a primary color, a plurality of secondary colors for the user interface elements, wherein the plurality of secondary colors are assigned different roles in the user interface elements..." (emphasis added). Claim 1 describes the automatic determining of a plurality of secondary colors, based on a primary color. In other words, multiple colors are determined automatically based on one primary color.

Abdelhadi describes a contrasting graphical user interface (GUI) pointer. Specifically, Abdelhadi discloses a method and apparatus for display of a GUI pointer such that the pointer is ensured to be displayed in a color or shade which contrasts the background and foreground information on the display screen on a pixel-by-pixel basis. The color of the pointer is re-evaluated every time the pointer is moved to insure that the pixel-by-pixel contrast is constantly maintained (Abstract). In essence, Abdelhadi describes changing the color of the pointer in response to the different colors appearing in the background depending on where the pointer travels over in the GUI.

Abdelhadi does not describe automatic determining of multiple secondary colors based on one primary color where each of the multiple colors is assigned a role in the UI elements. The

Office Action on page 3 cites Col. 3, lines 32-37 as a basis for rejection. Applicants respectfully traverse and submit that the cited section does not anticipate the limitation as claimed. The section describes how the program selects a pointer color in contrast to the color of the background or foreground information at a particular pixel. In essence, the program selects performs a single comparison and generates one color in return. The color of the point need not necessarily be changed if the color of the pointer sufficiently stands out from the color of the background or the foreground. Abdelhadi does not describe the determination of a plurality of colors based upon a primary color.

Further, Abdelhadi fails to describe the plurality of secondary colors, determined based on the primary color, are assigned different roles in the user interface elements.

For at least the reasons set forth, Applicants respectfully submit that Abdelhadi fails to anticipate all the limitations as claimed and respectfully request the withdrawal of the claim limitations.

Dependent claims 2, 5-14, 18, 21-30, 34 and 37-46

Claims 2, 5-14, 18, 21-30, 34 and 57-46 depend from independent claims 1, 17 and 33 and thus incorporate all the limitations contained therein. For at least this reason, applicants respectfully submit that not all limitations in claims 2, 5-14, 18, 21-30, 34 and 57-46 are anticipated by Abdelhadi and respectfully request the withdrawal of the claim rejections.

Rejections under 35 U.S.C. § 103

Claims 3-4, 19-20, 35-36 and 49-66 are rejected under 35 U.S.C. §103(a) as being unpatentable over Abdelhadi and U.S. Patent No. 5,371,844 to Andrew, et al. ("Andrew").

Independent claims 1, 17, 33, 49, 55 and 61

Claims 1, 17, and 33 contain similar limitations while claims 49, 55 and 61 contain

similar limitations. For the purpose of discussion, claims 1 and 49 are used as representative claims.

Claim 1 includes the limitation “... automatically determining, based on a primary color, a plurality of secondary colors for the user interface elements, wherein the plurality of secondary colors are assigned different roles in the user interface elements ...” (Emphasis added).

Claim 49 includes the limitation “...automatically determining, based on said color from said range of colors, a plurality of colors for a corresponding plurality of user interface elements, wherein the plurality of colors are assigned different roles in the user interface elements ...” (Emphasis added).

Abdelhadi is described above. For at least the reasons set forth above, Abdelhadi fails to describe or teach all the limitations as claimed in claims 1 and 49.

Andrew describes a palette manager in a GUI computer system. In the disclosure, a method for adjusting elements of a GUI operating system is described where each of a plurality of palette managers are represented on a display device by icons and are accessible via windows and responsive to a pointer. A user may select different colors on the palette using a pointer to update the color of an element. Andrew fails to describe or teach the limitations in claims 1 and 49. Thus, Andrew fails to cure the deficiency of Abdelhadi.

There is also no motivation to combine Andrew and Abdelhadi because the former describes how to manually change colors of elements in a GUI while Abdelhadi describes a method to change colors of the pointer so that the pointer can stand out from the foreground and background without user interaction to maintain a constant contrast every time the pointer is moved in the GUI.

Even if the Abdelhadi and Andrew are combined, still the combination fails to describe or teach the limitations in claims 1 and 49.

For at least the reasons set forth, Applicants respectfully submit that claims 1, 17, 33, 49, 55 and 61 are not obvious in view of the combination of Abdelhadi and Andrew and respectfully request the withdrawal of the claim rejections.

Dependent claims 3-4, 20, 35-36, 50-54, 56-60, 62-66

Claims 3-4, 20, 35-36, 50-54, 56-60, 62-66 depend from independent claims 1, 17, 33, 49, 55 and 61 and thus incorporate all the limitations contained therein. For at least this reason, applicants respectfully submit that claims 3-4, 20, 35-36, 50-54, 56-60, 62-66 are not obvious in view of the combination of Abdelhadi and Andrew and respectfully request the withdrawal of the claim rejections.

Claims 15, 16, 31, 32, 47 and 48 are rejected under 35 U.S.C. §103(a) as being unpatentable over Abdelhadi and U.S. Patent No. 5,895,451 to Yamade, et al. ("Yamade").

Independent claims 1, 17, and 33

Claims 1, 17, and 33 contain similar limitations. For the purpose of this discussion, claim 1 is used as a representative claim. Claim 1 includes the limitation "... automatically determining, based on a primary color, a plurality of secondary colors for the user interface elements, wherein the plurality of secondary colors are assigned different roles in the user interface elements ..." (Emphasis added).

Abdelhadi is described above and, for at least the reasons set forth above, fails to describe or teach all the limitations as claimed in claims 1 and 49.

Yamade describes a scheduler apparatus with color code appointment times shown on a display. Yamade fails to describe or teach the limitations in claim 1 which have been discussed above. Thus Yamade fails to cure the deficiency of Abdelhadi.

Applicant submits that even if there is a motivation to combine Yamade and Abdelhadi, the combination merely results in a calendar that has color code appointment times with a cursor that can adjust its color with respect to the background and foregrounds. The combination still does not describe or teach the limitations as claimed.

For at least this reason, Applicants respectfully submit that claims 1, 17 and 33 are not obvious in view of the combination of Abdelhadi and Yamade and respectfully request the withdrawal of the claim rejections.

Dependent claims 15, 16, 31, 32, 47 and 48

Claims 15, 16, 31, 32, 47 and 48 depend from independent claims 1, 17, and 33 and incorporate all the limitations contained therein. For at least this reason, applicants respectfully submit that claims 3-4, 20, 35-36, 50-54, 56-60, 62-66 are not obvious in view of the combination of Abdelhadi and Yamade and respectfully request the withdrawal of the claim rejections.

Conclusion


In view of the foregoing, Applicant respectfully submits the present application is now in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call the undersigned attorney at (408) 720-8300.

Please charge Deposit Account No. 02-2666 for any shortage of fees in connection with this response.

Respectfully submitted,

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